

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

WERNY CASTRO, *on behalf of himself and
all others similarly situated,*

Plaintiff,

v.

LINDEN BULK TRANSPORTATION LLC
A/K/A ODYSSEY LBT LLC, *ET AL.*,

Defendants.

No. 19-20442 (SDW)(LDW)

ORDER

May 20, 2020

WIGENTON, District Judge.

Before this Court is the Report and Recommendation (“R&R”) entered on April 20, 2020, by Magistrate Judge Leda D. Wettre (“Judge Wettre”), (D.E. 27), recommending that Plaintiff’s motion to remand this matter to the Superior Court of New Jersey, Law Division, Essex County be granted. Defendants filed objections to the R&R on May 4, 2020, (D.E. 30),¹ and Plaintiff responded on May 18, 2020, (D.E. 31.) This Court has reviewed the reasons set forth by Judge Wettre in the R&R and the parties’ briefs as well as the other documents in this matter. Based on the foregoing, and for good cause shown, it is hereby

ORDERED that the R&R of Judge Wettre, (D.E. 27), is **ADOPTED** as the conclusions of law of this Court. Plaintiff’s motion to remand this matter to the Superior Court of New Jersey, Law Division, Essex County (D.E. 8) shall be **GRANTED**; and it is further

ORDERED that Defendants’ motion to dismiss (D.E. 14) shall be **DISMISSED AS MOOT**.

SO ORDERED.

¹ Defendants’ opposition was improperly filed as motion to appeal Judge Wettre’s recommendation.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
Leda D. Wettre, U.S.M.J.